

AMERICAN LEGISLATIVE EXCHANGE COUNCIL

MEMORANDUM

TO: COMMERCE, INSURANCE, AND ECONOMIC DEVELOPMENT TASK FORCE MEMBERS
FROM: MICHAEL HOUGH, TASK FORCE DIRECTOR
DATE: JULY 1, 2010
RE: 35 DAY MAILING—2010 ANNUAL MEETING

The American Legislative Exchange Council will host its 2010 Annual Meeting **August 5 - 8** at the **Manchester Grand Hyatt in San Diego, California**. The last day to reserve hotel accommodations is **Monday, July 12**. The full Commerce, Insurance, and Economic Development Task Force will meet from **2:30 pm to 5:30 pm** on **Friday, August 6**. The Task Force will meet to discuss model legislation and resolution on Traffic Incident Management, Road Safety, and Reinsurance. Mr. John Fund, columnist for the Wall Street Journal, will be speaking to the Task Force.

In addition, the **Transportation Subcommittee** will meet on **Thursday, August 5** from **9:00 am to 10:00 am**, to discuss model legislation on Traffic Incident Management and Road Safety. Subcommittee meetings are open to all members of the Task Force.

We are also pleased to announce a Workshop on **Thursday, August 5** from **3:15 pm – 4:30 pm** providing an in-depth discussion of financial regulatory reform, or “Wall Street Reform,” and how it will impact the states. We strongly encourage all Task Force members to attend and participate in this discussion.

Please find the following materials enclosed:

- Annual Meeting Agenda-at-a-Glance
- Task Force Meeting Tentative Agenda
- Subcommittee Meeting Tentative Agenda
- 2010 Spring Task Force Summit Minutes
- Draft Model Legislation
- Task Force Roster
- Registration Forms
- ALEC Mission Statement
- Scholarship Policies by Meeting
- ALEC Task Force Operating Procedures

I look forward to seeing all of you in San Diego! If you have any questions or comments regarding the meeting, please contact me at 202-742-8530 or by e-mail at mhough@alec.org.

Cordially,



Michael Hough
Public Safety and Elections Task Force Director



Agenda



Tuesday, August 3, 2010

Board of Directors Reception, <i>by invitation only</i>	6:30 p.m. - 7:30 p.m.	Off-site
Board of Directors Dinner, <i>by invitation only</i>	7:30 p.m. - 9:30 p.m.	Off-site

Wednesday, August 4, 2010

Registration Open	12:00 p.m. - 5:00 p.m.	Litrenta Foyer
Joint Board of Directors Meeting	9:00 a.m. - 5:30 p.m.	Elizabeth FG
State Chairs Training Session	2:00 p.m. - 5:00 p.m.	Del Mar AB
NCHL Working Group	3:00 p.m. - 5:00 p.m.	Madeline ABC
Leadership Reception, <i>by invitation only</i>	6:00 p.m. - 7:00 p.m.	Elizabeth Foyer
Leadership Dinner, <i>by invitation only</i> <i>Sponsored by Reynolds American</i> <i>Speaker: Ms. Susan Ivey, Chairman, President and CEO, Reynolds American</i>	7:00 p.m. - 9:00 p.m.	Elizabeth GH
Hospitality Suite	9:00 p.m. - 11:00 p.m.	Madeline ABC

Thursday, August 5, 2010

Registration Open	7:30 a.m. - 5:00 p.m.	Litrenta Foyer
State Chairs Meeting	9:00 a.m. - 11:15 a.m.	Elizabeth F
Task Force: International Relations	9:00 a.m. - 11:15 a.m.	Manchester H, I
ALEC Exhibition Hall Open	8:00 a.m. - 5:00 p.m.	Elizabeth ABCDE
Attendee Grab-N-Go Breakfast	8:00 a.m. - 11:15 a.m.	Elizabeth ABCDE
Task Force Working Groups and Subcommittees	8:00 a.m. - 11:15 a.m.	
Fiscal Federalism Working Group	8:00 a.m. - 9:00 a.m.	Elizabeth G
Environmental Health Working Group	8:00 a.m. - 9:30 a.m.	Manchester G
Transportation Subcommittee	9:00 a.m. - 10:00 a.m.	Elizabeth H
Leadership Institute: New Media Workshop	9:00 a.m. - 11:15 a.m.	George Bush
Public Pension Reform Working Group	9:15 a.m. - 10:15 a.m.	Elizabeth G
Health Care Reform: Repeal vs. Implementation	9:15 a.m. - 11:15 a.m.	Mohsen AB
Energy Subcommittee	10:00 a.m. - 11:15 a.m.	Manchester G

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Working Group on Education Reform	10:00 a.m. - 11:15 a.m.	Madeline AB
Corrections and Reentry Working Group	10:15 a.m. - 11:15 a.m.	Elizabeth H
Cy Pres Working Group	10:15 a.m. - 11:15 a.m.	Madeline CD
Fiscal Policy Reform Working Group	10:15 a.m. - 11:15 a.m.	Elizabeth G
Opening Luncheon, sponsored by AT&T <i>Speaker: Randall Stephenson, Chairman, CEO, and President, AT&T</i> <i>Keynote: Gov. Rick Perry (TX)</i>	11:30 a.m. - 1:30 p.m.	Douglas ABC
Workshop: <i>Transferring Credits: Easing the Burden of Students and Taxpayers</i>	1:45 p.m. - 3:00 p.m.	Elizabeth F
Workshop: <i>Regional Climate Initiatives</i>	1:45 p.m. - 3:00 p.m.	Elizabeth G
Workshop: <i>Panel on Prescription Drug Abuse: Good Medicines, Bad Behavior</i>	1:45 p.m. - 3:00 p.m.	Elizabeth H
Workshop: Visa	3:15 p.m. - 4:30 p.m.	Elizabeth F
Workshop: <i>Show Me the Money: Improving Budget Transparency in the States</i>	3:15 p.m. - 4:30 p.m.	Elizabeth G
Workshop: <i>Restoring Good Faith to Insurance "Bad Faith" Legislation</i>	3:15 p.m. - 4:30 p.m.	Elizabeth H
Diageo Wine and Cheese Reception <i>Open to all attendees</i>	5:00 p.m. - 6:00 p.m.	Elizabeth ABCDE
Chairman's Reception, <i>by invitation only</i> <i>Sponsored by AT&T</i>	5:30 p.m. - 6:30 p.m.	Ford ABC
International Relations Reception <i>Sponsored by Reynolds American</i>	6:00 p.m. - 7:00 p.m.	Elizabeth Terrace
California Welcome Reception aboard the U.S.S. Midway, sponsored by California Host Committee	6:30 p.m. - 8:30 p.m.	U.S.S. Midway
Hospitality Suite	9:00 p.m. - 11:00 p.m.	Ford ABC

Friday, August 6, 2010

Registration Open	7:30 a.m. - 5:00 p.m.	Litrenta Foyer
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Plenary Breakfast, sponsored by Bayer Corporation <i>Speaker: Greg Babe, President and CEO, Bayer Corporation</i> <i>Keynote: Gov. Joe Manchin (WV), invited</i>	8:00 a.m. - 9:15 a.m.	Douglas ABC
ALEC Exhibition Hall Open	9:30 a.m. - 5:00 p.m.	Elizabeth ABCDE
Workshop: <i>Cutting Crime and Budgets: Proven Solutions for Your State</i>	9:30 a.m. - 10:45 a.m.	Elizabeth F
Workshop: <i>The Changing Face of Journalism in the States</i>	9:30 a.m. - 10:45 a.m.	Elizabeth G
Workshop: <i>Creating True and Lasting Budget Reform in Your State</i>	9:30 a.m. - 10:45 a.m.	Elizabeth H
Task Force Chairs Meeting	11:00 a.m. - 12:15 p.m.	Mohsen AB
Workshop: <i>The 10th Amendment: Federalism and Restoring State Sovereignty</i>	11:00 a.m. - 12:15 p.m.	Elizabeth F
Workshop: <i>Building a Free-Market Movement in Your State</i>	11:00 a.m. - 12:15 p.m.	Elizabeth G
Workshop: <i>Protecting Philanthropic Freedom</i>	11:00 a.m. - 12:15 p.m.	Elizabeth H
Plenary Luncheon, sponsored by Allergan <i>Speaker: Lynn Salo, Vice President, Allergan Medical US Breast Aesthetics Division</i> <i>Keynote:</i>	12:30 p.m. - 2:15 p.m.	Douglas ABC
Task Force: Commerce, Insurance, and Economic Development	2:30 p.m. - 5:30 p.m.	Elizabeth G
Task Force: Civil Justice	2:30 p.m. - 5:30 p.m.	Manchester DE
Task Force: Education	2:30 p.m. - 5:30 p.m.	Manchester GH
Task Force: Telecom and IT	2:30 p.m. - 5:30 p.m.	Manchester AB
Education Task Force Reception, <i>by invitation only</i> <i>Sponsored by Bridgepoint Education</i>	5:30 p.m. - 6:30 p.m.	Manchester Foyer
Incoming Chairman's Reception, <i>by invitation only</i> <i>Sponsored by Reynolds American</i>	5:30 p.m. - 6:30 p.m.	Ford ABC
State Delegation Night	6:00 p.m.	Ford ABC
Hospitality Suite	9:00 p.m. - 11:00 p.m.	



Agenda



Saturday, August 7, 2010

Registration Open	7:30 a.m. - 12:00 p.m.	Litrenta Foyer
ALEC Exhibition Hall Open	9:30 a.m. - 12:00 p.m.	Elizabeth ABCD
Plenary Breakfast, Sponsored by Pfizer	8:00 a.m. - 9:15 a.m.	Douglas ABC
Task Force: Public Safety and Elections	9:30 a.m. - 12:30 p.m.	Elizabeth H
Task Force: Health and Human Services	9:30 a.m. - 12:30 p.m.	Manchester AB
Task Force: Energy, Environment, and Agriculture	9:30 a.m. - 12:30 p.m.	Manchester GH
Task Force: Tax and Fiscal Policy	9:30 a.m. - 12:30 p.m.	Elizabeth G
Plenary Luncheon, sponsored by Visa <i>Speaker: Frn. Maj. Leader Dick Armev</i>	12:30 p.m. - 2:15 p.m.	Douglas ABC
Closing Ceremonies	4:00 p.m. - 5:00 p.m.	

Sunday, August 8, 2010

Prayer Service <i>Speaker: Cal Thomas, Syndicated Columnist</i>	9:00 a.m. - 10:30 a.m.	Ford ABC
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**Commerce, Insurance & Economic Development Task Force
2010 Annual Meeting
Friday, August 6, 2010
2:30 pm – 5:30 pm
Room: Elizabeth G
(Tentative Agenda)**

- | | |
|---|----------------|
| 1. Call to Order | 2:30 PM |
| Introductions | |
| Approval of Minutes | |
| Introduction of New Members | |
|
2. Model Legislation and Presentations | |
| PRESENTATION: Mr. John Fund, <i>Wall Street Journal</i> (20) | 2:50 PM |
|
MODEL LEGISLATION | |
| <u>“Traffic Incident Management Quick Clearance Act”</u> | 3:10 PM |
| Mr. Ted Scott, <i>American Trucking Association</i> | |
|
<u>“The Share the Road Safety Act”</u> | |
| Mr. Ted Scott, <i>American Trucking Association</i> | |
|
<u>“A Resolution Concerning Tax Treatment of Affiliated Reinsurance”</u> | |
| Mr. Alan Smith, <i>The Heartland Institute</i> | |
|
<u>Insurance Issues Update</u> | |
| Mr. Eli Lehrer, <i>The Heartland Institute</i> | |
|
4. For the Good of the Order | 5:25 PM |
| 5. Adjournment | 5:30 PM |



**Transportation Subcommittee
2010 Annual Meeting
Thursday, August 5, 2010
San Diego
9:00 a.m. – 10:00 a.m.**

TENTATIVE AGENDA

9:00 a.m. Welcome and Introductions

MODEL LEGISLATION: “Traffic Incident Management Quick Clearance Act”
Mr. Ted Scott, *American Trucking Association*

MODEL LEGISLATION: “The Share the Road Safety Act”
Mr. Ted Scott, *American Trucking Association*

9:55 a.m. For the Good of the Order

10:00 a.m. Adjournment

American Legislative Exchange Council
Commerce, Insurance, and Economic Development Task Force
Spring Task Force Summit
April 23, 2010

Attendees:

Public Sector (14)

Rep. Susan M. Lynn, *Tennessee* (Public Sector Chair)
Rep. Justin Cronin, *South Dakota*
Rep. Matthew Dollar, *Georgia*
Rep. Brian Gosch, *South Dakota*
Rep. Adam Koenig, *Missouri*
Del. Susan Krebs, *Maryland*
Sen. Dennis Nolan, *Nevada*
Rep. Dawn Pettengill, *Iowa*
Rep. Charles Michael Sargent, *Tennessee*
Rep. Sharon Schwartz, *Kansas*
Rep. Kip Smith, *Georgia*
Rep. Kris Steele, *Oklahoma*
Rep. Fred Steen, *North Carolina*
Rep. Glenn Vaad, *Colorado*

Private Sector (19)

Derek L. Crawford, *Kraft Foods, Inc.* (Private Sector Chair)
Eli Lehrer, *The Heartland Institute* (Task Force Advisor)
David Christman, *National Beer Wholesalers Association*
DuPle' J. Travillion, *FedEx*
Eric Goldberg, *American Insurance Association*
Mark Gorman, *Distilled Spirits Council of the US*
Mike Komashka, *Reynolds American Inc.*
Matthew Lathrop, *YUM! Brands, Inc.*
Johann Lopez, *Anheuser-Busch Companies, Inc.*
Tommy Moore, *Community Financial Services Association*
Chris Oswald, *Reed Elsevier Inc.*
Charles Pecchio, *VeriSol*
Gregory Segal, *Macquarie Capital USA*
Ted Scott, *American Trucking Association*
Patrick Thomas, *UPS*
Joann Waiters, *ACLI*
Emory Wilkerson, *State Farm Insurance Companies*
Steve Woods, *NFIB*
Joe Woods, *Property Casualty Insurers*

Non-voting New Members (2)

Robert Hunt, *MillerCoors*

Pat Sheehy, *Cracker Barrel*

Guests (3)

Sen. Curtis Bramble, *Utah*

Jenifer Roland, *Show-Me Institute*

Sen. Reginald Tate, *Tennessee*

Staff (2)

Michael Hough, Task Force Director

Courtney O'Brien, Legislative Assistant

I. Preliminaries

The task force introduced the agenda, introduced new members, and approved the minutes of the December meeting.

II. Presentations

1. Presentation “Government Spending and Economic Development – Ms. Jenifer Zeigler Roland, *Show Me Institute*

Utilize your state think tanks that are similar to the *Show Me Institute*, they can be a great resource. The *Show Me Institute* has been researching what encourages economic growth - if revenue is being raised, what makes the difference is what it is being spent on. Spend taxpayer dollars on tangible economic goods and services.

2. Presentation: “Update on Public Private Partnerships” – Mr. Geoff Segal, *Macquarie Capital USA*

For many years a diverse array of nations has been successful at financing critical public infrastructure using public private partnerships (PPPs). The financial crisis led to significant losses to both debt and equity investors in such partnerships; however, amidst the chaos, major projects continued to be initiated and funded at a slower rate. Going forward, the appetite for PPPs in both the public and private sectors is increasing with additional states entering the market and with private capital seeking quality assets, though at tighter valuations. Innovative multijurisdictional PPP structures are also taking form. Federally though, the future of PPPs is unclear, as PPPs do not seem to be among the administration’s priorities.

3. Presentation: “Insurance Issues Update” – Mr. Eli Lehrer, *The Heartland Institute, Task Force Advisor*

Richie Neal (D-MA) has proposed a protectionist tariff on certain types of common reinsurance transactions. Such transactions are used by insurance companies to diversify their risk. This tariff would benefit a few large companies which already have large enough pools of policies not to have to purchase offshore reinsurance. This tariff will impose substantial costs on American consumers and bring virtually no benefits to the nation.

III. Consideration of Model Legislation

1. “Online Motor Vehicle Insurance Verification Act” – by Charles Pecchio, *Verisol*

This model bill establishes an online verification system for motor vehicle registration; providing for codification; and providing an effective date.

Motion to reinsert Line 15-16 in Section One B. Paragraph 15: “Nothing in this section prohibits an insurer from using the services of a third party vendor for facilitating the insurance verification program required by this law.” Motion to pass the Amendment; passed public sector unanimously, passed private sector unanimously. **Amendment Passed.**

Motion to accept amendments to Section One B. Paragraph 5, 6, 12, 13, and 15. And Section Two, Paragraph 1. Motion to pass the Amendments; passed public sector unanimously, passed private sector unanimously. **Amendments Passed.**

Motion to pass the Model Legislation; passed public sector with one no vote, passed private sector unanimously. **Bill Passed.**

2. “Business Exit Interview Act” – by Rep. Susan Lynn, *Tennessee*

This model bill requires the Department of Development to compile a report of companies that relocated out of this state and to attempt to determine the motivation behind the relocations.

Motion to adopt the model legislation; passed the public sector unanimously; passed the private sector unanimously. **Bill Passed.**

3. “Electronic Pay Choice Act” – (*Paul Russinoff, VISA*)

Motion to lay bill on the table. **Bill Tabled.**

3. “Resolution in Opposition to a Consumer Financial Protection Agency” – by Rep. Susan Lynn, *Tennessee*

This resolution oppose the creation of a Consumer Financial Protection Agency on the grounds that such an agency would cut off credit by imposing more stringent borrowing requirements, limit consumer choices, override states rights, and increase the Federal deficit.

Motion to adopt the model legislation; passed the public sector unanimously; passed the private sector unanimously. **Bill Passed.**

4. “Traffic Incident Management Quick Clearance Act” – by Ted Scott, *American Trucking Association*

Motion to lay bill on the table for the Transportation Subcommittee. **Bill Tabled.**

5. “States’ Right to Regulate Alcohol Resolution” - by David Christman, *National Beer Wholesalers Assoc.*

Withdrawn by the Author.

IV. For the Good of the Order

V. Adjournment

1 **DRAFT Traffic Incident Management Quick Clearance Act**

2 ***Summary***

3 This Act establishes the duties of drivers when approaching traffic incidents, the expedited
4 removal of vehicles from an incident, the liability protection for authorized clearance functions,
5 and compensation for incident removal costs.

6
7 ***Model Legislation***

8
9 **Section 1. {Short Title}** This act may be cited as the Traffic Incident Management Quick
10 Clearance Act.

11
12 **Section 2. {Road User Duties Approaching Incidents}**

13
14 (A) When in or approaching an incident, every driver shall maintain a speed no greater
15 than is reasonable and prudent under the conditions, including actual and potential
16 hazards then existing;

17
18 (B) When in or approaching an incident area, every driver shall obey the directions of
19 any authorized official directing traffic and all applicable traffic control devices;

20
21 (C) Except for emergency vehicles in the incident area, when in or approaching an
22 incident area, every driver shall reduce speed and vacate any lane wholly or partially
23 blocked;

24
25 (D) If a violation of this section results in a serious injury or death to another person, in
26 addition to any other penalty imposed by law, the violator's driver's license shall be
27 suspended for a period of at least one year and not more than (5) years and the violator
28 may be sentenced up to one year in jail;

29
30 (E) This section applies to motor vehicle traffic accidents that occur on controlled access
31 highways and any other highways that are divided into two or more lanes.

32
33 **Section 3. {Avoidance of Lane Blockage -- Expedited Removal of Vehicles}**

34
35 (A) No person shall stop or park a vehicle in such manner as to impede or render
36 dangerous the use of the roadway by others, except to avoid collision, at the direction of
37 an authorized official, or in the case of a crash or mechanical breakdown;

(B) In the event of a crash or mechanical breakdown, the emergency flashing lights of such vehicle shall be activated if the vehicle is equipped with such lights and lights are in working order;

(C) If a vehicle stopped in the roadway is movable and its driver is capable of moving it, the driver shall immediately move the vehicle to the shoulder or to a designated area off the highway. A responder to an incident may move a vehicle remaining on the roadway, or require the driver or other person in charge of the vehicle to move it to the shoulder or a designated area off the highway;

(D) An authority or a law enforcement agency may remove personal property from a roadway or right-of-way if the property blocks the roadway or endangers public safety.

Section 4. {Liability Protection for Authorized Incident Clearance Functions}

(A) Governmental agencies responding to incidents, including but not limited to law enforcement, firefighting, emergency medical services, hazardous materials, transportation agencies and other emergency governmental responders are authorized to exercise the incident clearance functions enumerated in this section. If such functions are exercised with reasonable care and at the direction of the incident commander, those governmental agencies and their personnel and other designated representatives are insulated from liability resulting from such actions taken pursuant to incident clearance, including:

1. Incident detection and verification;
2. Incident area security and protection;
3. Rescue of persons from vehicles and hazardous environments;
4. Emergency medical transportation and care;
5. Hazardous materials response and containment;
6. Fire suppression and elimination;
7. Transportation of vehicle occupants;
8. Traffic direction and management, and establishment and operation of alternate routes, including but not limited to traffic detours and/or diversion;
9. Crash investigation;
10. Dissemination of traveler information;
11. Incident clearance, including removal of debris, coordination of clearance and repair resources, and temporary roadway repair and facilities restoration;
12. Removal of vehicles and cargo;
13. Any other actions reasonably necessary;

- 77 14. When directed by the incident commander, towing and recovery service
78 providers are authorized to perform the following enumerated functions, and any
79 other actions reasonably necessary to perform those enumerated functions;
80 15. Removal of vehicles from the incident area;
81 16. Protection of property and vehicles;
82 17. Removal of debris from the roadway;
83 18. Transportation of persons or cargo.
84

85 **Section 5. {Compensation for Incident Removal Costs}**
86

87 (A) Notwithstanding any other law or regulation, any agency, person or organization incurring
88 the cost of removing vehicles and/or cargo at an incident, if such removal is authorized by the
89 traffic incident commander, shall have the unqualified right to compensation for the cost of such
90 removal from the owner (or owners) of:

- 91 1. the vehicles removed; and/or
92 2. the vehicles whose cargo was removed in whole or in part.
93

94 **Section 6. {Severability Clause}**
95

96 **Section 7. {Repealer Clause}**
97

98 **Section 8. {Effective Date}**

DRAFT The Share the Road Safety Act

Summary

This Act provides increased safety instruction of young driver education programs by raising the awareness of all motor vehicle drivers on how to share the road/highway with large trucks. This legislation requires the inclusion of a section on awareness and safe interaction with commercial motor vehicle traffic in public school, private school, and commercial driver training schools. Classroom instruction and behind-the-wheel training must include, but is not limited to: truck stopping distances, proper distances for following trucks, identification of truck blind spots, and avoidance of driving in truck blind spots.

Model Legislation

Section 1. {Title, enacting clause, etc} This act shall be known as the “Share the Road Safety Act”.

Section 2. {Legislative Declaration}

(A) Three different studies – including the AAA Foundation for Traffic Safety and the U.S. Department of Transportation, have found that truck-involved fatalities are, more often than not, unintentionally initiated by the automobile drivers. (Approximately 75% for the passenger car driver vs. 25% for the CMV driver) ¹

(B) Share the Road Driver Training has the potential to save lives and reduce crashes that are caused because people don’t know the limitations of large trucks and how to drive safely near or around them.

(C) Share the Road Driver Training provides specific information on how crashes happen and how to avoid them.

(D) Share the Road Driver Training provides essential education to all drivers on truck braking capabilities and blind spots and explains how to avoid driving in a truck blind spot.

(E) Share the Road Driver Training reaches new drivers at a young age ensuring that they develop safe driving habits early.

(F) Share the Road Driver Training teaches new drivers techniques to safely interact with

¹ AAA Foundation for Traffic Safety, *Identifying Unsafe Driver Actions That Lead to Fatal Car-Truck Crashes*, April 2002

1 large trucks such as; safe following distances, proper merging, defensive driving, and
2 avoiding blind spots.

3
4 **Section 3. {Share the Road Program}**

5
6 (A) All driver education classes, including behind-the-wheel training will include
7 instruction on sharing the road with large trucks. Classroom instruction and behind-the-
8 wheel training must include, but is not limited to truck stopping distances, proper
9 distances for following trucks, identification of truck blind spots, and avoidance of
10 driving in truck blind spots.

11
12 (B) Share the Road education changes and improves driving habits and in turn saves
13 lives.

14
15 (C) Safety information can be found and downloaded, free of charge, from The American
16 Trucking Association. This includes, but is not limited to, guidelines for motorists, safety
17 driving tips, a quiz, as well as a downloadable brochure and instructional DVD.

18
19 **Section 4. {Severability Clause}**

20
21 **Section 5. {Repealer Clause}**

22
23 **Section 6. {Effective Date}**

1 **DRAFT Resolution Concerning Tax Treatment of Affiliated Reinsurance**

2
3 ***Summary***

4 The Resolution lays out the importance of offshore affiliated reinsurance in risk-spreading and
5 management throughout the insurance business. The Resolution opposes new taxes on
6 reinsurance which would reduce its supply and raise prices for consumers and business which
7 use primary insurance.
8

9 ***Resolution***

10
11 **WHEREAS**, reinsurance plays a vital role in managing and spreading risk for companies in
12 nearly all segments of the insurance business; and
13

14 **WHEREAS**, as a means of managing capital, all large insurers make use of “affiliated”
15 reinsurance purchased from companies within the same group; and
16

17 **WHEREAS**, such affiliated reinsurance serves a valid and important risk-transfer purpose which
18 provides significant additional primary insurance capacity particularly in areas such as crop,
19 windstorm, general, liability, products liability, and aircraft insurance; and
20

21 **WHEREAS**, United States based and non-United States based insurance groups currently pay
22 functionally equivalent taxes on reinsurance transactions; and
23

24 **WHEREAS**, a major study from the economic research and consulting firm, “The Brattle
25 Group” concluded that policies intended to reduce the use of affiliated reinsurance by companies
26 with headquarters located outside of the United States would result in a 20 percent reduction in
27 the supply of reinsurance and a significant increase in the prices of primary insurance for
28 consumers and businesses; and
29

30 **WHEREAS**, such taxation would significantly limit the ability of many insurers to manage their
31 capital and, thus, undermine the international risk management practices at the heart of
32 international reinsurance markets; and
33

34 **WHEREAS**, a broad coalition of industry, consumer, and free market groups have spoken out
35 against discriminatory taxation of offshore affiliated reinsurance.
36

37 **THEREFORE BE IT RESOLVED** that the American Legislative Exchange Council (ALEC)
38 opposes any effort to impose new discriminatory taxes that would significantly limit the use of
39 reinsurance by companies located outside of the United States by imposing a new punitive tax
40 regime.

Commerce, Insurance & Economic Development
As of 6/30/2010

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Commerce, Insurance & Economic Development
As of 6/30/2010

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Commerce, Insurance & Economic Development
As of 6/30/2010

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Commerce, Insurance & Economic Development
As of 6/30/2010

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As of 6/30/2010

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As of 6/30/2010

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As of 6/30/2010

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As of 6/30/2010

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As of 6/30/2010

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Total Records 219

ATTENDEE

REGISTRATION / HOUSING FORM

AMERICAN LEGISLATIVE EXCHANGE COUNCIL



Early registration deadline: June 23, 2010
Standard registration deadline: July 12, 2010
Housing cut-off date: July 12, 2010

Manchester Grand Hyatt - San Diego, CA

Online
www.alec.org

Fax (credit cards only)
202.331.1344

Phone / Questions • Mon-Fri, 9am-5:30 pm Eastern
202.742.8538

Mail • ALEC Registration & Housing
P.O. Box 96754 • Washington, DC 20090-6754

ATTENDEE INFORMATION

Prefix (required) ☐ Sen ☐ Rep ☐ Del ☐ Mr ☐ Mrs ☐ Ms ☐ Other _____
Last Name _____ First Name _____ Middle Initial _____ Badge Nickname _____
Title _____
Organization (required) _____
Address _____ Suite # _____
City _____ State/Province _____ Country _____ ZIP/Postal code _____
Daytime phone _____ Fax _____ Alternate phone _____
Email (confirmation will be sent by email) _____

Spouse / Guest / Kids' Congress: Please complete the Spouse / Guest / Kids' Congress registration form.

REGISTRATION INFORMATION

****Save \$100 on registration by booking your hotel room in ALEC's headquarter hotel****

DISCOUNTED REGISTRATION FEES are extended only to registrants booking in ALEC's headquarter hotel. Your \$100 savings will become valid when accommodations are confirmed.

	EARLY until June 23	STANDARD until July 12	ON-SITE begin July 13	DAILY	Amount
<input type="checkbox"/> I am already registered: Order # _____					
** Please note that member fees are subject to verification					
<input type="checkbox"/> ALEC Legislative Member	\$510	\$610	\$710	\$395	\$ _____
<input type="checkbox"/> Legislator / Non-Member	\$625	\$700	\$850	\$495	\$ _____
<input type="checkbox"/> ALEC Private Sector Member	\$840	\$1090	\$1800	\$895	\$ _____
<input type="checkbox"/> Private Sector / Non-Member	\$1075	\$1725	\$2200	\$1095	\$ _____
<input type="checkbox"/> ALEC Non-Profit Member (501(c)(3) status required)	\$615	\$740	\$940	\$595	\$ _____
<input type="checkbox"/> Non-Profit Non-Member (501(c)(3) status required)	\$750	\$950	\$1150	\$795	\$ _____
<input type="checkbox"/> Legislative Staff / Government	\$685	\$785	\$935	\$595	\$ _____
<input type="checkbox"/> ALEC Legacy Member	\$0	\$0	\$0	\$0	\$ _____
Promo Code _____					
TOTAL REGISTRATION FEES:					\$ _____

METHOD OF REGISTRATION PAYMENT

Credit Card: Credit cards will be charged immediately. Please fax to the above number for processing.

☐ Amer Express ☐ Visa ☐ MasterCard

Card # _____

Cardholder (please print) _____

Exp Date (mm/yy) _____ Security Code _____

Signature _____

Checks: Payment must be in U.S. currency drawn on a U.S. bank. Please make check payable to ALEC Registration and send to above address.

Note: Registration forms with enclosed payments must be received by 5pm Eastern on the following dates to be eligible for discounted registration rates: June 9, 2010, for early registration rates, or July 12, 2010, for standard registration rates. Forms and/or payments received beginning July 13, 2010, will be subject to the on-site registration rate. If registering after July 13, 2010, please bring completed form and payment to register on-site.

REGISTRATION CONFIRMATION INFORMATION

Online registrants will receive immediate email confirmation. If registering by form, confirmation will be emailed, faxed, or mailed within 72 hours of receipt of payment.

REGISTRATION CANCELLATION / REFUND INFORMATION

Registrations cancelled prior to 5pm Eastern July 12, 2010 are subject to a \$100 cancellation fee. Registrations are non-refundable after 5pm Eastern July 12, 2010.

HOUSING

RESERVATION CUTOFF FOR ALEC DISCOUNTED RATE IS 12pm Eastern July 12, 2010

****Save \$100 on registration by booking your hotel room in ALEC's headquarter hotel****

☐ I do not require a reservation at this time.

Arrival Date _____ Departure Date _____

☐ Sharing room with _____

Room type

<input type="checkbox"/> Single	(1 person-1 bed)	\$ 219
<input type="checkbox"/> Double	(2 persons-1 bed)	\$ 239
<input type="checkbox"/> Dbl/Dbl	(2 persons-2 beds)	\$ 239
<input type="checkbox"/> Triple	(3 persons-2 beds)	\$ 259
<input type="checkbox"/> Quad	(4 persons-2 beds)	\$ 259

A limited number of **suites** are available upon request. Please call (800) 221-3531 for additional information.

Special requests

- ☐ ADA room required:
____ Audio ____ Visual ____ Mobile
- ☐ Rollaway / crib: _____
- ☐ Other: _____

METHOD OF HOUSING PAYMENT

☐ Please use the same method of payment as above.

Credit Card: Credit cards will be used to guarantee the reservation

☐ Amer Express ☐ Visa ☐ MasterCard ☐ Discover

Card # _____

Cardholder (please print) _____

Exp Date (mm/yy) _____ Security Code _____

Signature _____

Checks: Payment must be in U.S. currency drawn on a U.S. bank. Please make check payable to ALEC and send to above address.

Note: All rates DO NOT include sales tax 12.71% (subject to change)

HOUSING CONFIRMATION INFORMATION

Online reservations will receive immediate email confirmation. Reservations received by form will be confirmed via email, fax, or mail within 72 hours of receipt.

HOUSING CANCELLATION / REFUND INFORMATION

Credit cards will be charged one night room and tax in the event of a no show or if cancellation occurs within 72 hours prior to arrival. Departures prior to the departure date confirmed by the hotel at check-in will result in a charge of \$100. Please obtain a cancellation number when your reservation is cancelled.

SPOUSE / GUEST KIDS' CONGRESS REGISTRATION FORM

AMERICAN LEGISLATIVE EXCHANGE COUNCIL
ALEC



Early registration deadline: June 16, 2010
Standard registration deadline: July 12, 2010

Manchester Grand Hyatt - San Diego, CA

Online
www.alec.org

Fax (credit cards only)
202.331.1344

Phone / Questions • Mon-Fri, 9am-5:30 pm Eastern
202.742.8538

Mail • ALEC Registration & Housing
P.O. Box 96754 • Washington, DC 20090-6754

IMPORTANT: Please identify the ALEC attendee

ALEC ATTENDEE Profile Information

First Name _____	Last Name _____	REGISTRATION ORDER NUMBER _____
Daytime Phone _____		
Email (Confirmation will be sent by email) _____		

SPOUSE / GUEST / KIDS' CONGRESS Registration Fees

	(#) x	EARLY until June 16	STANDARD until July 12	ON-SITE begin July 13	DAILY	Amount
A. Spouse / Guest / Child 18 yrs or older	() x	\$150	\$150	\$150	n/a	= \$ _____
B. Kid's Congress (6 months to 17 yrs) for ALEC Members Full Conference Rate	() x	\$250	\$350	\$550	n/a	= \$ _____
C. Kid's Congress (6 months to 17 yrs) for Non-ALEC Members Full Conference Rate	() x	\$350	\$450	\$650	n/a	= \$ _____
D. Kid's Congress (6 months to 17 yrs) Day rate: Thurs., Fri., or Sat.	() x	\$100	\$150	\$250	n/a	= \$ _____

SPOUSE / GUEST / KID'S REGISTRATION FEE(s) TOTAL \$ _____

Spouse / Guest / Child Names *Please list the names of the spouse / guest / children below*

Spouse / Guest / Child Name	Child Date of Birth	Registration Type A,B,C,D (above)	Spouse / Guest / Child Name	Child Date of Birth	Registration Type A,B,C,D (above)
1. _____	_____	_____	5. _____	_____	_____
2. _____	_____	_____	6. _____	_____	_____
3. _____	_____	_____	7. _____	_____	_____
4. _____	_____	_____	8. _____	_____	_____

Payment Information

Credit Card: Credit cards will be charged immediately. Please fax to the above number for processing.

<input type="checkbox"/> American Express	Card # _____
<input type="checkbox"/> Visa	Cardholder (please print) _____
<input type="checkbox"/> MasterCard	Exp Date (mm/yy) _____ Security Code _____
	Signature _____

Check / money order: Payment must be in U.S. currency drawn on a U.S. bank. Please make check payable to ALEC Registration and send to above address.

Note: Registration forms with enclosed payments must be received by 5pm Eastern on the following dates to be eligible for discounted registration rates: June 9, 2010, for early registration rates, or July 12, 2010, for standard registration rates. Forms and/or payments received after July 12, 2010 will be subject to the on-site registration rate. If registering after July 12, 2010 please bring completed form and payment to register on-site.

Confirmation Information

Online registrants will receive immediate confirmation via email. If registering by written form, confirmation will be emailed (if address provided), faxed, or mailed within 72 hours of receipt of payment.

Cancellation / Refund Information

Registrations cancelled prior to 5:00 p.m. (EST) July 12, 2010 are subject to a \$100 cancellation fee. Registrations are non-refundable after 5:00 p.m. (EST) July 12, 2010.



Mission Statement

The American Legislative Exchange Council's mission is...

To advance the Jeffersonian Principles of free markets, limited government, federalism, and individual liberty through a nonpartisan public-private partnership among America's state legislators, concerned members of the private sector, the federal government, and the general public.

To promote these principles by developing policies that ensure the powers of government are derived from, and assigned to, first the People, then the States, and finally the Federal Government.

To enlist state legislators from all parties and members of the private sector who share ALEC's mission.

To conduct a policy making program that unites members of the public and private sector in a dynamic partnership to support research, policy development, and dissemination activities.

To prepare the next generation of political leadership through educational programs that promote the principles of Jeffersonian democracy, which are necessary for a free society.

SCHOLARSHIP POLICY BY MEETING

ALEC Spring Task Force Summit:

1. ***Spring Task Force Summit Reimbursement Form:*** ALEC Task Force Members are reimbursed by ALEC up to \$350.00 for travel expenses. Receipts must be forwarded to the ALEC Policy Coordinator and approved by the Director of Policy.
2. ALEC Task Force Members' room & tax fees for a two-night stay are covered by ALEC.
3. *Official Alternate Task Force Members* (chosen by the State Chair and whose names are given to ALEC more than 35 days prior to the meeting to serve in place of a Task Force Member who cannot attend) are reimbursed in the same manner as Task Force Members.
4. ***State Scholarship Reimbursement Form:*** Any fees above \$350, or expenses other than travel and room expenses can be submitted by Task Force Members for payment from their state scholarship account upon the approval of the State Chair. Receipts must be submitted to the State Chair, who will submit the signed form to the Director of Membership.
5. *Non-Task Force Members* can be reimbursed out of the state scholarship fund upon State Chair approval. Receipts must be submitted to the State Chair, who will submit the appropriate signed form to the Director of Membership.

ALEC Annual Meeting:

State Scholarship Reimbursement Form: State scholarship funds are available for reimbursement by approval of your ALEC State Chair. Expenses are reimbursed after the conference, and may cover the cost of travel, room & tax, and registration. Receipts are to be submitted to the State Chair, who will then submit the signed form to the Director of Membership.

ALEC States & Nation Policy Summit:

1. ***States & Nation Policy Summit Reimbursement Form:*** ALEC offers two scholarships per state to cover the cost of travel, room & tax, and registration not to exceed \$1,000.00 per person for a total of \$2,000.00 per state. ALEC scholarship recipients must be named by the ALEC State Chair. Expenses are submitted to the State Chair and reimbursed after the conference. The State Chair submits the signed form to the Director of Membership.
2. ***State Scholarship Reimbursement Form:*** Any other fees or payments must come out of the state scholarship account, with the approval of the State Chair. Receipts must be submitted to the State Chair, who submits the signed form to the Director of Membership.

ALEC Academies:

Academy Reimbursement Form: Attendees of ALEC Academies are reimbursed by the Task Force Committee hosting the Academy. Attendees will receive a form at the Academy, and will be reimbursed up to \$500.00 for travel, and room & tax fees for a two-night stay by ALEC. Receipts must be forwarded to the appropriate Task Force Director and approved by the Director of Policy.



American Legislative Exchange Council TASK FORCE OPERATING PROCEDURES

I. MISSION OF TASK FORCES

Assume the primary responsibility for identifying critical issues, developing ALEC policy, and sponsoring educational activities which advance the Jeffersonian principles of free markets, limited government, federalism, and individual liberty. The mission will be accomplished through a non-partisan, public and private partnership between ALEC's legislative and private sector members in the specific subject areas assigned to the Task Force by the Board of Directors.

II. TASK FORCE RESPONSIBILITIES

- A. Task Forces have the primary responsibility for identifying critical issues and developing ALEC's official policy statements and model legislation appropriate to the specific subject areas of the Task Force.
- B. Task Forces serve as forums for an exchange of ideas and sharing of experiences between ALEC's state legislator and private sector members.
- C. Task Forces are responsible for developing and sponsoring the following educational activities appropriate to the specific subject area of the Task Force:
 - publications that express policy positions, including, but not limited to State Factors and Action Alerts;
 - educational communication and correspondence campaigns;
 - issue specific briefings, press conferences and press campaigns;
 - witness testimony and the activities of policy response teams;
 - workshops at ALEC's conferences; and
 - specific focus events.
- D. The Executive Director is to ~~Task Forces are responsible for developing an annual budgets,~~ which shall include expenses associated with Task Force meetings and educational activities. A funding mechanism to finance all meetings and educational activities proposed by Task Forces must be available before they can be undertaken.

III. GENERAL PROCEDURES

- A. Requests from ALEC members for policy statements, model legislation and educational activities shall be directed by the Executive Director to the appropriate Task Force, or the Board of Directors if the issue does not fall within the jurisdiction of any Task Force. The appropriate Public and Private Sector Task Force Co-Chairs determine the agenda for each Task Force meeting, and the meetings will be called and conducted in accordance with these Operating Procedures.

The Director of Policy with the consent of the Executive Director assigns a model bill or resolution to the most appropriate Task Force based on Task Force content and prior jurisdictional history 35 days before a Task Force Meeting. All Task Force Co-Chairs will be provided an email or fax summary of all model bills and resolutions 35 days before the Task Force meeting

If both the Co-Chairs of a Task Force are in agreement that they should have jurisdiction on model legislation or a resolution, the legislation or resolution will be considered by the Task Force. If the other Task Force Co-Chairs believe they should have jurisdiction or if the author of the model bill or resolution does not agree on the jurisdictional assignment of the bill, they will have 10 days after the 35-day mailer deadline to submit in writing or by electronic appeal to the Director of Policy their intent to challenge the jurisdiction assignment. The Director of Policy will notify the Executive Director who will in turn notify the National Chair and the Private Enterprise Board Chair. The National Chair and the Private Enterprise Board Chair will in turn refer the matter in question to the Board of Directors Task Force Board Committee. The Director of Policy will establish a conference call for the Task Force Board Committee co- chairs, the author, the affected Task Force Co-Chairs and the Director of Policy at a time convenient for all participants.

The Task Force Board Committee Co-Chairs shall listen to the jurisdictional dispute by phone or in person within 10 days of the request. If both Task Force Board Committee Co-Chairs are in agreement that the Director of Policy made an incorrect jurisdictional referral, only then will the model bill or resolution be reassigned to a committee as they specify once agreed upon by the National Chair and the Private Enterprise Board Chair. The bill or model resolution is still eligible to be heard in whatever Task Force it is deemed to be assigned to as if submitted to the correct Task Force for the 35-day mailer. The National Chair and the Private Enterprise Board Chair decision is final on this model bill or resolution.

Joint referral of model legislation and/or resolutions are allowed if all the affected Task Force Co-Chairs agree. All model legislation and resolutions that have been referred to, more than one Task Force must pass the identical language in both Task Forces within two consecutive Task Force meetings. It is at the Task Force

Co-Chairs discretion how they will handle the hearings of the model legislation or resolution. Both sets of co-chairs have the ability to call a working group, subcommittee, or simply meet consecutively or concurrently if necessary.

If the Task Force co-chairs both agree to waive jurisdiction, they may do so as long as another Task Force still has jurisdiction.

The National Chair and the Private Sector Board Chair will rely upon the Task Force Board Committee Co-Chairs for advice and recommendations on model legislation or resolutions when no jurisdiction in any of the existing Task Forces in operation can be found. The Task Force Board Committee Co-Chairs will work with the Executive Director and the Director of Policy to identify public and private sector Task Force members (not alternates) from the existing Task Forces should their expertise be of assistance to the Task Force Board Committee in reaching a determination and recommendation for approval by the National Chair and the Private Enterprise Board Chair.

- B. The National Chair and the Private Sector Board Chair will rely upon the Task Force Board Committee Co-Chairs for advice and recommendations on model legislation or resolutions when no jurisdiction in any of the existing Task Forces in operation can be found. The Task Force Board Committee Co-Chairs will work with the Executive Director and the Director of Policy to identify public and private sector Task Force members (not alternates) from the existing Task Forces should their expertise be of assistance to the Task Force Board Committee in reaching a determination and recommendation for approval by the National Chair and the Private Enterprise Board Chair.
- C. The Board of Directors shall have ultimate authority over Task Force procedures and actions including the authority to create, to merge or to disband Task Forces and to review Task Force actions in accordance with these Operating Procedures. Nothing in these Operating Procedures prohibits the Board of Directors from developing ALEC policy; however, such a practice should be utilized only in exceptional circumstances. Before the policy is adopted by the Board of Directors, it should be sent to the Public and Private Sector Task Force Co-Chairs under whose jurisdiction the matter falls for review and comment back to the Board of Directors.
- D. The operating cycle of a Task Force is two years. A new operating cycle begins on January 1 of each odd numbered year and ends on December 31 of the following even numbered year. Task Force activities shall be planned and budgeted on an annual basis within each two-year operating cycle.
- E. ~~At the ALEC Annual Meeting, each Task Force will be responsible for determining an operating budget for the succeeding calendar year. The Executive Director will notify the Task Force Co-Chairs, at the ALEC Annual Meeting, what inflation factor will be used by the Task Force to determine the operating~~

~~and programming budgets. Task Force membership and budget information will be reported to the Executive Director by the Public and Private Sector Task Force Co-Chairs. The Executive Director will present this information to the Board of Directors at its regular fall meeting.~~

- F. If a Task Force is unable to develop an operating budget, the Board of Directors will determine whether to continue the operations of the Task Force. This determination will be made according to: (1) the level of membership on the Task Force, and (2) the need for continued services developed by the Task Force for ALEC.
- G. The Board of Directors shall have the authority to allocate limited general support funds to finance the annual operating budget of Task Forces that meet the requirements prescribed in Section III (E). The Executive Director shall determine, and report to the Board of Directors, the amount of general support funds available to underwrite such Task Forces.

IV. MEMBERSHIP AND MEMBER RESPONSIBILITIES

- A. The membership of a Task Force consists of legislators who are members in good standing of ALEC and are duly appointed to the Task Force, in accordance with Section VI (A) and private sector organizations that are full members of ALEC, contribute to the assessment for the Task Force operating budget, and are duly appointed to the Task Force, in accordance with Section VI (B). Private sector organizations that were full members of ALEC and contributed the assessment for the Task Force's operating budget in the previous year, can be appointed to the Task Force for the current year, conditional upon renewal of full ALEC membership and receipt of the current year's assessment for the Task Force operating budget prior to March 31st, unless an alternative date has been approved by the Executive Director.
- B. Each Task Force shall have least two Co-Chairs; a Public Sector Task Force Co-Chair and a Private Sector Task Force Co-Chair. The Public Sector Task Force Co-Chair must be a member of the Task Force and appointed in accordance with Section VI (A). The Private Sector Co-Chair must represent a private sector member of the Task Force and be appointed in accordance with Section VI(B). The Co-Chairs shall be responsible for:
 - (1) calling the Task Force and the Executive Committee meetings to order, setting the agenda and co-chairing such meetings;
 - (2) appointing and removing legislators and private sector members to and from the Task Force Executive Committee and subcommittees;
 - (3) creating subcommittees, and determining each subcommittee's mission, membership limit, voting rules, deadlines, and term of service; and

- (4) selecting Task Force members to provide support for and against Task Force policies during formal Board reviews.
- C. Each Task Force shall have an Executive Committee appointed by the Public and Private Sector Task Force Co-Chairs that is appropriate in number to carry out the work product and strategic plan of ALEC and the Task Force. The Executive Committee shall consist of the Public Sector Task Force Co-chair, the Private Sector Task Force Co-Chair, the subcommittee co-chairs, and the remainder will be an equal number of legislative and private sector Task Force members. The Executive Committee will be responsible for determining the operating budget and proposing plans, programs and budgets for the succeeding year in accordance with (Section V (B); determining if a proposed educational activity conforms to a previously approved model bill, resolution or policy statement in accordance with (Section IX (F); and determining if an emergency situation exists that justifies waiving or reducing appropriate time limits in accordance with (Section VIII (H)).
- D. Each Task Force may have any number of subcommittees, consisting of Task Force members and advisors to focus on specific areas and issues and make policy recommendations to the Task Force. The Task Force Co-chairs, shall create subcommittees and determine each subcommittee's mission, membership limit, voting rules, deadlines, and term of service. Any model bill, resolution or policy statement approved by a subcommittee must be approved by the Task Force before it can be considered official ALEC policy.
- E. Each Task Force may have advisors, appointed in accordance with Section VI (G). Advisors shall assist the members and staff of the Task Force. They shall be identified as advisors on official Task Force rosters, included in all official Task Force mailings and invited to all Task Force meetings. Advisors may also have their expenses paid at Task Force meetings covered by the Task Force operating budget with the approval of the Task Force Co-Chairs. An advisor cannot be designated as the primary contact of a private sector Task Force member, cannot be designated to represent a private sector Task Force member at a Task Force, Executive Committee, or subcommittee meeting, and cannot offer or vote on any motion at a Task Force, Executive Committee, or subcommittee meeting.

V. Task Force Budgets

- A. Each Task Force shall develop and operate a yearly budget to fund meetings.
- B. The operating budget shall be used primarily to cover expenses for Task Force meetings, unless specific funds within the budget are authorized for other use by the Task Force. The operating budget shall be assessed equally among the private sector members of the Task Force. The Executive Director, in consultation with the Task Force Co-Chairs shall determine which costs associated with each meeting will be reimbursed from the operating budget. Any funds remaining in a

Task Force's operating budget at the end of a year are transferred to ALEC's general membership account.

- C. The operating budget shall not be used to cover Task Force meeting expenses associated with alternate task force members' participation, unless they are appointed by their State Chair to attend the Spring Task Force Summit with the purpose to serve in place of a Task Force Member who is unable to attend. Task Force meeting expenses of alternate task force members shall be covered by their state's scholarship account.
- D. The programming budget shall be used to cover costs associated with educational activities. Contributions to the programming budget are separate, and in addition to operating budget contributions and annual general support/membership contributions to ALEC. The Executive Director shall determine the contribution required for each educational activity.

VI. PROCESS FOR SELECTING TASK FORCE MEMBERS, CHAIRS, COMMITTEES AND ADVISORS

- A. Prior to February 1 of each odd-numbered year, the current and immediate past National chairman will jointly select and appoint in writing three legislative members and three alternates to the Task Force who will serve for the current operating cycle, after receiving nominations from ALEC's Public and Private State Chairs, the Executive Director and the ALEC Public and Private Sector members of the Board. At any time during the year, the National Chairman may appoint in writing new legislator members to each Task Force, except that no more than three legislators from each state may serve as members of any Task Force, no legislator may serve on more than one Task Force and the appointment cannot be made earlier than thirty days after the new member has been nominated. In an effort to ensure the nonpartisan nature of each Task Force, it is recommended that no more than two legislators of any one political party from the same state be appointed to serve as members of any Task Force. A preference will be given to those ALEC legislator members who serve on or chair the respective Committee in their state legislature. A preference will be given to legislators who sponsor ALEC Task Force model legislation in the state legislature.
- B. Prior to January 10 of each odd-numbered year, the current and immediate past National Chairman will jointly select and appoint in writing the Task Force Chair who will serve for the current operating cycle, after receiving nominations from the Task Force. Nominations will be requested by the outgoing Task Force Chair and may be placed in rank order prior to transmittal to the Executive Director no later than December 1 of each even-numbered year. No more than five names may be submitted in nomination by the outgoing Task Force chair. The current and immediate past National Chairmen will jointly make the final selection, but

should give strong weight to the recommendations of the outgoing Task Force Chair. In an effort to empower as many ALEC leaders as possible, State Chairs and members of the Board of Directors will not be selected as Task Force Chairs. Task Force Chairs shall serve for one operating cycle term. Where special circumstances warrant, the current and immediate past National Chairmen may reappoint a Task Force Chair to a second operating cycle term.

- C. Prior to February 1 of each odd numbered year, the Public and Private Sector Task Force Co-Chairs will select and appoint in writing the legislative and private sector members of the Task Force Executive Committee, who will serve for the current operating cycle. The Public and Private Sector Task Force Co-Chairs will select and appoint in writing the legislative and private sector members and advisors to any subcommittee.
- D. Prior to February 1 of each year, the Private Enterprise Board Chair and the immediate past Private Enterprise Board Chair will select and appoint in writing the private sector members to the Task Force who will serve for the current year. The appointment letter shall be mailed to the individual designated as the primary contact for the private sector entity. At any time during the year, the Chair of the Private Enterprise Board may appoint in writing new private sector members to each Task Force, but no earlier than thirty days after the new member has qualified for full membership in ALEC and contributed the assessment for the appropriate Task Force's operating budget.
- E. Prior to January 10 of each odd-numbered year, the Chair of the Private Enterprise Board and the immediate past Private Enterprise Board Chair will select and appoint in writing the Task Force Private Sector Co-Chair who will serve for the current operating cycle, after receiving nominations from the Task Force. Nominations will be requested by the outgoing Task Force Private Sector Chair and may be placed in rank order prior to transmittal to the Chair of the Private Enterprise Board. The Chair and the immediate past Chair of the Private Enterprise Board will make the final selection, but should give strong weight to the recommendations of the outgoing Private Sector Task Force Co-Chair. In an effort to empower as many ALEC private sector members as possible, Private Enterprise State Chairs and members of the Private Enterprise Board will not be selected as Private Sector Task Force Co-Chairs. Private Sector Task Force Co-Chairs shall serve for one operating cycle term. Where special circumstances warrant, the current and immediate past Chair of the Private Enterprise Board may reappoint a Task Force Private Sector Chair to a second operating cycle term.
- F. Prior to February 1 of each odd-numbered year, the Task Force Private Sector Co-Chair will select and appoint in writing the private sector members of the Task Force Executive Committee, who will serve for the current operating cycle. The Task Force Private Sector Co-Chair shall select and appoint in writing the private sector members of any subcommittees.

- G. The Public and Private Sector Task Force Co-Chairs, may jointly appoint subject matter experts to serve as advisors to the Task Force. The National Chair and the Private Enterprise Board Chair may also jointly recommend to the Task Force Co-Chairs subject matter experts to serve as advisors to the Task Force.

VII. REMOVAL AND VACANCIES

- A. The National Chair may remove any Public Sector Task Force Co-Chair from his position and any legislative member from a Task Force with or without cause. Such action will not be taken except upon thirty days written notice to such Chair or member whose removal is proposed. For purposes of this subsection, cause may include failure to attend two consecutive Task Force meetings.
- B. The Public Sector Task Force Co-Chair may remove any legislative member of an Executive Committee or subcommittee from his position with or without cause. Such action shall not be taken except upon thirty days written notice to such member whose removal is proposed. For purposes of this subsection, cause may include failure to attend two consecutive meetings.
- C. The Chairman of the Private Enterprise Board may remove any Private Sector Task Force Co-Chair from his position and any private sector member from a Task Force with cause. Such action shall not be taken except upon thirty days written notice to such Chair or member whose removal is proposed. For purposes of this subsection, cause may include but is not limited to the non-payment of ALEC General Membership dues and the Task Force dues. .
- D. The Private Sector Task Force Co-Chair may remove any private sector member of an Executive Committee or subcommittee from his position with cause. Such action shall not be taken except upon thirty days written notice to such member whose removal is proposed. For purposes of this subsection, cause may include but is not limited to the non-payment of ALEC General Membership dues and the Task Force dues.
- E. The Public and Private Sector Task Force Co-Chairs may remove an advisor from his position with or without cause. Such action shall not be taken except upon thirty days written notice to such advisor whose removal is proposed.
- F. Any member or advisor may resign from his position as Public Sector Task Force Co-Chair, Private Sector Task Force Co-Chair, public or private sector Task Force member, Task Force advisor, Executive Committee member or subcommittee member at any time by writing a letter to that effect to the Public Sector and Private Sector Task Force Co-Chairs. The letter should specify the effective date of the resignation, and if none is specified, the effective date shall be the date on which the letter is received by the Public and Private Task Force Co-Chairs.

- G. All vacancies for Public Sector Task Force Co-Chair, Private Sector Task Force Co-Chair, Executive Committee member and subcommittee member shall be filled in the same manner in which selections are made under Section VI. All vacancies to these positions must be filled within thirty days of the effective date of the vacancy.

VIII. MEETINGS

- A. Task Force meetings shall only be called by the joint action of the Public and Private Sector Task Force Co-Chairs. Task Force meetings cannot be held any earlier than thirty-five days after being called, unless an emergency situation has been declared pursuant to Section VIII(H), in which case Task Force meetings cannot be held any earlier than ten days after being called. It is recommended that, at least once a year, the Task Forces convene in a common location for a joint Task Force Summit. Executive Committee meetings shall only be called by the joint action of the Public and Private Sector Task Force Co-Chairs and cannot be held any earlier than three days after being called, unless the Executive Committee waives this requirement by unanimous consent.
- B. At least forty-five days prior to a task force meeting any model bill, resolution or policy must be submitted to ALEC staff that will be voted on at the meeting. At least thirty-five days prior to a Task Force meeting, ALEC staff shall distribute copies of any model bill, resolution or policy statement that will be voted on at that meeting. This requirement does not prohibit modification or amendment of a model bill, resolution or policy statement at the meeting. This requirement may be waived if an emergency situation has been declared pursuant to Section VIII(H).
- C. All Task Force meetings are open to registered attendees and invited guests of ALEC meetings and conferences. Only regular Task Force Members may introduce any resolution, policy statement or model bill. Only Task Force members will be allowed to participate in the Task Force meeting discussions and be seated at the table during Task Force meetings, unless otherwise permitted by the Public and Private Sector Task Force Co-Chairs.
- D. ALEC private sector member organizations may only be represented at Task Force and Executive Committee meetings by the individual addressed in the appointment letter sent pursuant to Section VI(D) or a designee of the private sector member. If someone other than the individual addressed in the appointment letter is designated to represent the private sector member, the designation must be submitted in writing to the Public and Private Sector Task Force Co-Chairs before the meeting, and the individual cannot represent any other private sector member at the meeting.

- E. All Task Force and Executive Committee meetings shall be conducted under the guidelines of Roberts Rules of Order, except as otherwise provided in these Operating Procedures. A copy of the Task Force Operating Procedures shall be included in the briefing packages sent to the Task Force members prior to each meeting.
- F. A majority vote of legislative members present and voting and a majority vote of the private sector members present and voting, polled separately, are required to approve any motion offered at a Task Force or Executive Committee meeting. A vote on a motion to reconsider would be only with the sector that made the motion. Members have the right, in a voice vote, to abstain and to vote present by roll-call vote. In all votes a member can change their vote up until the time that the result of the vote is announced. Only duly appointed members or their designee as stated in Section VIII (D) that are present at the meeting may vote on each motion. No proxy, absentee or advance voting is allowed.
- G. The Public Sector Task Force Co-Chair and the Private Sector Task Force Co-Chair, with the concurrence of a majority of the Executive Committee, polled in accordance with Section VIII (F), may schedule a Task Force vote by mail or ~~fax~~ any form of electronic communication on any action pertaining to policy statements, model legislation or educational activity. The deadline for the receipt of votes can be no earlier than thirty-five days after notification of the vote is mailed or ~~faxed~~ notified by any form of electronic communication, unless an emergency situation is declared pursuant to Section VIII (H), in which case the deadline can be no earlier than ten days after notification is mailed or ~~faxed~~ notified by any form of electronic communication. Such votes are exempt from all rules in Section VIII, except: (1) the requirement that copies of model legislation and policy statements be mailed or ~~faxed~~ notified by any form of electronic communication with the notification of the vote and (2) the requirement that a majority of legislative members voting and a majority of the private sector members voting, polled separately, is required to approve any action by a Task Force.
- H. For purposes of Sections VIII(A), (B) and (G), an emergency situation can be declared by:
 - (1) Unanimous vote of all members of the Task Force Executive Committee present at an Executive Committee meeting prior to the meeting at which the Task Force votes on the model bill, resolution or policy statement; or
 - (2) At least three-fourth majority vote of the legislative and private sector Task Force members (voting in accordance with Section VIII (F)) present at the meeting at which the members vote on the model bill, resolution or policy statement.

- I. Ten Task Force members shall constitute a quorum for a Task Force meeting. One-half of the legislative and one-half of the private sector members of an Executive Committee shall constitute a quorum for an Executive Committee meeting.

IX. ***REVIEW AND ADOPTION PROCEDURES***

- A. All Task Force policy statements, model bills or resolutions shall become ALEC policy either: (1) upon adoption by the Task Force and affirmation by the Board of Directors or (2) thirty days after adoption by the Task Force if no member of the Board of Directors requests, within those thirty days, a formal review by the Board of Directors. General information about the adoption of a policy position may be announced upon adoption by the Task Force.
- B. The Executive Director shall notify the Board of Directors of the approval by a Task Force of any policy statement, model bill or resolution within ten days of such approval. Members of the Board of Directors shall have thirty days from the date of Task Force approval to review any new policy statement, model bill or resolution prior to adoption as official ALEC policy. Within those thirty days, any member of the Board of Directors may request that the policy be formally reviewed by the Board of Directors before the policy is adopted as official ALEC policy.
- C. A member of the Board of Directors may request a formal review by the Board of Directors. The request must be in writing and must state the cause for such action and a copy of the letter requesting the review shall be sent by the National Chairman to the appropriate Task Force Chair. The National Chairman shall schedule a formal review by the Board of Directors no later than the next scheduled Board of Directors meeting.
- D. The review process will consist of key members of the Task Force, appointed by the Task Force Chair, providing the support for and opposition to the Task Force position. Position papers may be faxed or otherwise quickly transmitted to the members of the Board of Directors. The following is the review and adoption procedures:
 - Notification of Committee: Staff will notify Task Force Chairs and the entire task force when the Board requests to review one of the Task Forces' model bills or resolutions.
 - Staff Analysis: Will be prepared in a neutral fashion. The analyses will include:
 - History of Task Force action
 - Previous ALEC official action/resolutions
 - Issue before the board
 - Proponents arguments

- Opponents arguments
- Standardized Review Format: To ensure fairness, a set procedure will be used as the format to ensure the model bill/resolution has a fair hearing before the Board.
 - Task Force Chair(s) will be invited to attend the Board Review
 - Task Force Chair(s) will decide who will present in support and in opposition for the model bill/resolution before the Board.
 - Twenty minutes that is equally divided will be given for both sides to present before the Board.
 - It is suggested that the Board not take more than twenty minutes to ask questions of the presenters.
 - Presenters will then be excused and the Board will have a suggested twenty more minutes for discussion and vote.
 - All votes will be recorded for the official record.
- Notification of Committee: The Director of Policy will notify presenters immediately after the vote. If the Board votes to send the model bill/resolution back to the task force, the Board will instruct the Director of Policy or another board member what to communicate.

E. The Board of Directors can:

- (1) Vote to affirm the policy or affirm the policy by taking no action, or
- (2) Vote to disapprove the policy, or
- (3) Vote to return the policy to the Task Force for further consideration providing reasons therefore.

F. Task Forces may only undertake educational activities that are based on a policy statement, model bill or resolution that has been adopted as official ALEC policy, unless the Task Force votes to undertake the educational activity, in which case the educational activity is subjected to the same review process outlined in this Section. It is the responsibility of the Task Force Executive Committee to affirm by three-fourths majority vote conducted in accordance with Section VIII that an educational activity conforms to a policy statement, model bill or resolution.

X. EXCEPTIONS TO THE TASK FORCE OPERATING PROCEDURES.

Exceptions to these Task Force Operating Procedures must be approved by the Board of Directors.